GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:867
ANSWERED ON:28.04.2016
Vacations and Working Hours in the Judiciary
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Will the Minister of LAW AND JUSTICE be pleased to state:

:

(a) whether the Government proposes to curtail the vacation period and extend the working hours in the judiciary in order to clear the huge backlog of cases pending in various courts in the country;

(b) if so, the details and the present status thereof;

(c) the follow-up action taken on the recommendations made in Report No.230 of the Law Commission of India in this regard along with the present status thereof; and

(d) the time by which a final decision is likely to be taken by the Government in this regard?

Answer

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI D.V. SADANANDA GOWDA)

(a) to (d) : Government does not have under its consideration any proposal to curtail the vacation period and extend the working hours in the Courts.

The duration of vacations is governed by the Rules/Regulations framed by the concerned High Court and the Supreme Court. The vacation/working days/working hours in the District /Subordinate Courts are regulated by the respective High Court.
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The 230th Report of the Law Commission of India submitted in August, 2009 recommended, inter-alia, that considering the staggering arrears, vacations in the higher judiciary must be curtailed by at least 10 to 15 days and the court working hours should be extended by at least half-an-hour. The Report was examined by the Government and forwarded to Chief Justices of all High Courts to consider the suggestions for adoption, particularly for clearing the backlog of cases.

The Supreme Court notified the Supreme Court Rules, 2013 on 27th May, 2014 wherein, inter-alia, it is provided that the period of summer vacation shall not exceed seven weeks from the earlier ten weeks. It is further provided that the length of the summer vacation and the number of holidays for the Court and the offices of the Court shall be such as may be fixed by the Chief Justice and notified in the official Gazette so as not to exceed one hundred and three days, excluding Sundays not falling in the vacation and during Court holidays. The Supreme Court Rules, 2013 have come into force with effect from 19th August, 2014.